

Message Text

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ACTION ARA-10

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-01 INR-07

L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 TRSE-00 IO-13 DHA-02 HEW-04 ACDA-07 DPW-01

AID-05 A-01 OPR-02 SY-05 USSS-00 MCT-01 SIL-01

LAB-04 EB-08 COME-00 OMB-01 /111 W

-----290015Z 037520 /63

R 282040Z APR 77

FM AMEMBASSY SANTIAGO

TO SECSTATE WASHDC 4578

C O N F I D E N T I A L SECTION 1 OF 2 SANTIAGO 3502

E. O. 11652: GDS

TAGS: SHUM, PINT, CI

SUBJECT: CHILEAN SECURITY AGENCIES: IMPROVED PRACTICES, BUT STILL NASTY

1. SUMMARY: RECENT EVENTS INDICATE SECURITY AGENCIES ARE NOW GENERALLY FOLLOWING THE LAW IN SECURITY CASES. THIS PROCEDURAL CLEAN-UP PARALLELS MORE BASIC IMPROVEMENTS IN HUMAN RIGHTS PRACTICES (SANTIAGO 2539): NO REPORTS OF DISAPPEARANCES IN 1977 AND ONLY ONE ALLEGATION OF TORTURE, AND THE RELEASE OF HUNDREDS OF POLITICAL/SECURITY PRISONERS OVER THE LAST YEAR. THE COURTS CONTINUE TO PRESS ON PAST CASES OF DISAPPEARANCES AND OTHER ABUSES. MEANWHILE, REPORTS ARE ACCUMULATING OF HARASSMENT INAD INTIMIDATION BY SECURITY AGENTS SOMETIMES POSING AS RED CROSS OR CHURCH REPRESENTATIVES. END SUMMARY

2. EXAMPLES OF PROCEDURAL IMPROVEMENT:

-- COMMUNIST YOUTHS: ON GOOD FRIDAY DINA PICKED UP THREE MEN AND A WOMAN FOR DISSEMINATING COMMUNIST PROPAGANDA. THE ARRESTING OFFICERS FOLLOWED LEGAL PROCEDURES. WITNESSES WHO SAW THE QUARTET BEING ARRAIGNED BEFORE A MILITARY JUDGE THREE DAYS LATER REPORT THAT THEY SHOWED NO SIGNS OF TORTURE. SIGNIFICANTLY DINA DID NOT AVAIL ITSELF OF THE TEN-DAY INCOMMUNICADO PERIOD

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PERMITTED UNDER NEW CONSTITUTIONAL ACT FOURN NOR EVEN THE FIVE-DAY PERIOD IN EFFECT DURING NON-EMERGENCY PERIODS. SHOULD THE CASE GO TO TRIAL IN A MILITARY COURT, THE MORE LENIENT PEACETIME RULES WOULD APPLY. THE CASE HAS RECEIVED NO PRESS PLAY.

-- RED SEPTEMBER AGAIN: IN CONTRAST TO THE FOREGOING, DINA ANNOUNCED WITH FANFARE ON APRIL 15 THE DETENTION OF TWO MEN AND A WOMAN. ACCORDING TO DINA THEY WERE ALLEGEDLY MEMBERS OF A

"RED SEPTEMBER" CELL, A PHOENIX-LIKE LEFT TERRORIST ORGANIZATION. TWO OTHERS WERE SUBSEQUENTLY PICKED UP, ONE AS HE ARRIVED AT THE AIRPORT FROM ARGENTINA. DINA SAID THE GROUP HAD STAGED THREE ROBBERIES AND WHEN DETAINED HAD FOUR NEW UZI SUBMACHINEGUNS AND A LIST OF AS MANY AS 17 PROSPECTIVE ASSASSINATION VICTIMS. A FEW DAYS LATER LOCAL PAPERS CARRIED AP AND UPI DISPATCHES REPORTING THAT RED SEPTEMBER HAD CLAIMED CREDIT FOR A BOMB SCARE AT LIMA'S AIRPORT WHEN JUNTA MEMBER MERINO ARRIVED. (COMMENT: JUST ABOUT EVERYONE TAKES RED SEPTEMBER WITH A LARGE GRAIN OF SALT. SECURITY FORCES REPORTEDLY HAD RUN INS WITH IT IN AUGUST AND OCTOBER 1976, AND EACH TIME THE OFFICIAL ACCOUNT CONTAINS QUESTIONABLE ELEMENTS. FOR EXAMPLE, ONE OF THE CURRENT ALLEGED TERRORISTS WAS A PLUG UGLY IN FANATIC RIGHT WING "PATRIA Y LIBERTAD", AND THE SUPPOSED HIT LIST INCLUDES THE SUPREME COURT PRESIDENT; IDEOLOGUE JAIME GUZMAN; ONE OF "EL MERCUIRO'S" EDITORS; AND THE HEAD OF THE LOCAL INTERNATIONAL PRESS ASSOCIATION. PRESUMABLY SECURITY FORCES USE "RED SEPTEMBER" AS A GENERIC TERM TO COVER ONE OR MORE SMALL SPLINTER BANDS OF POLITICAL TOUGHS WHO HAVE MOVED INTO CRIMINALITY. END COMMENT)

-- THE MAN AT CUARTO ALAMOS: THE HUMAN RIGHTS GRAPEVINE HAS REPORTED THAT CUATRO ALAMOS, DINA'S INFAMOUS LEGAL DETENTION CENTER, WAS AGAIN IN USE. A VICARIATE OF SOLIDARITY SOURCE TELLS US, HOWEVER, THAT JUAN SEPULVEDA, ITS ONLY KNOWN OCCUPANT, ENDED UP THERE BY DEFAULT. AN ALLENDE-ERA BUREAUCRAT, HE HAD LEFT FAR SOUTHERN PUNTA ARENAS AND MOVED TO VALDIVIA JUST BEFORE THE COUP. HE NAME CAME UP DURING THE PURGE IN SEPTEMBER 1973 AND HE WAS ORDERED TO RETURN TO PUNTA ARENAS -- A WARRANT LOST IN THE CONFUSION. RECENTLY HE APPLIED FOR A PASSPORT AND WAS DETAINED ON THE BASIS OF INTERPOL'S RECORDS CHECK. THE LOCAL MILITARY JUDGE

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LEARNED THAT PUNTA ARENAS NO LONGER WANTED HIM AND REMANDED HIM TO THE MINISTRY OF INTERIOR, WHICH STUCK HIM IN CUATRO ALAMOS UNTIL THEY FIGURE OUT WHAT TO DO NEXT. HE WILL PROBABLY BE FREED SOON.

3. INTIMIDATION CONTINUES: THE INTELLIGENCE SERVICES CONTINUE TO HARASS AND INTIMIDATE DEMOCRATIC CRITICS OR OPPONENTS THROUGH VARIOUS FORMS OF MORE OR LESS SUBTLE PRESSURE. AGENTS, SOME OF WHOM CLAIMED TO BE FROM THE INTERNATIONAL RED CROSS, ICEM OR THE VICARIATE OF SOLIDARITY, HAVE CALLED ON AND QUESTIONED -- OFTEN VERY POLITELY -- MANY OF THE 1800 PEOPLE WHO SIGNED A PETITION ON BEHALF OF 501 MISSING PERSONS. THE PATTERN BECAME SO COMMON THAT THE ICRC AND THE VICARIATE ISSUED PUBLIC STATEMENTS DENYING THAT THEIR PERSONNEL WERE MAKING SUCH CALLS.

4. TWO SPECIFIC CASES OF INTIMIDATION CAME TO THE EMBASSY'S ATTENTION DURING THE PAST WEEK. ON APRIL 14 COMMUNIST LABOR LEADER JUAN EDUARDO BERRIOS MORALES FILED AN "AMPARO" (HABEAS CORPUS) PETITION ON BEHALF OF HIMSELF AND HIS FAMILY (THE ACTION PUTS THE

COURTS ON NOTICE THAT SHOULD ANYTHING UNTOWARD HAPPEN TO HIM OR HIS FAMILY, SECURITY FORCES ARE THE LIKELY CULPRITS). HE HAD BEEN HELD FOR A DAY -- APRIL 6 -- AND PUMPTED FOR INFORMATION ABOUT THE VICARIATE'S LABOR ACTIVITIES (SEE PARA 6 BELOW). THE AGENTS ALLEGEDLY THREATENED THAT HE, HIS WIFE OR TWO SMALL CHILDREN WOULD BE IN TROUBLE IF HE REPORTED THE INCIDENT.

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5. IN ANOTHER CASE, REPORTED TO US, THE MOTHER OF A MISSING YOUNG MAN (MARTIN ELGUETA PINTO) HAD PLANNED TO VISIT HER HUSBAND EXILED IN MEXICO. SHE TOLD AN EMBOFF ABOUT THE HAM-HANDED EFFORTS OF TWO DINA AGENTS TO HAVE HER SIGN A STATMENT THAT HER SON WAS IN FACT LIVING WITH HER. AFTER BEING TURNED DOWN ON THIS APPROACH, A FEMALE AGENT SHOWED UP AND WARNED HER THAT IF SHE REFUSED TO SIGN, "THEY" HAD WAYS OF MAKING HER DAUGHTER DO SO IN HER ABSENCE.

6. MISTREATMENT: THE PETITION FILED BY BERRIOS (PARA 3) ALSO ALLEGES THAT HE WAS PHYSICALLY MISTREATED BY THE AGENTS WHO PICKED HIM UP. HIS DEPOSITION STATES THAT THE AGENTS BEAT HIM ON THE BODY (AVOIDING HIS FACE), STRIPPED HIM AND SUBJECTED HIM TO ELECTRIC SHOCKS. ACCURATE OR NOT (AND IT IS DARING TO MAKE CUSH AN ALLEGATION IN A FORMAL PETITION TO THE COURTS), THIS IS THE FIRST ALEGATION OF TORTURE WE HAVE HEARD OF AS OCCURRING IN 1977.

7. COURTS MAINTAIN PRESSURE ON THE DISAPPEARANCE PROBLEM:
AN APPEALS COURT HAS MOVED QUICKLY TO CARRY OUT THE SUPREME COURT'S INSTRUCTION THAT IT ASK EACH SECURITY SERVICE ABOUT MISSING COMMUNIST YOUTH LEADER CARLOS CONTRERAS. MORE TO THE POINT, THE COURT TOLD THE AIR FORCE TO PRODUCE THE MEN ASSIGNED TO THE VEHICLE WHICH CARTED CONTRERAS AWAY -- THE CAR'S LICENSE PLATES

HAVE BEEN TRACED TO AIR FORCE INTELLIGENCE.

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8. PROBLEM OF PAST DISAPPEARANCES: THE SLATE IS CLEAN SO FAR THIS YEAR WITH RESPECT TO NEW DISAPPEARANCES. BUT NONE OF THOSE MISSING EARLIER HAVE REAPPEARED. THERE HAD BEEN RUMORS BEFORE EASTER THAT THE GOC WOULD SURFACE SOME OF THE MISSING BY THE SUBTERFUGE OF "DISCOVERING" A "CLANDESTINE" MEETING THEY WERE "ATTENDING".

9. COMMENT: THE CONTRAST BETWEEN THE CURRENT ACTIVITY OF THE SECURITY FORCES AND THE WAY THEY WERE BEHAVING JUST A YEAR AGO IS STRIKING. THE FEW SUBVERSIVES DETAINED ARE ARRESTED UNDER EXISTING LEGAL PROCEDURES AND PLACED BEFORE COURTS; DISSENTERS ARE INTIMIDATED BUT NOT HEALD IN PREVENTIVE DETENTION OR -- WITH THE ONE POSSIBLE EXCEPTION ABOVE -- HARMED. THE INSTITUTIONS OF REPRESSION REMAIN IN PLACE -- AND GOVERNMENT CRITICS KNOW THEY RUN RISKS -- BUT THE RISKS FOR THE MOMENT SEEM TO BE SMALLER.
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